

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

229

CWP-33533-2019

Date of decision: 24.08.2022

MITHLESH AND OTHERS

.....Petitioners

VERSUS

UTTAR HARYANA BIJLI VITRAN NIGAM LIMITED AND
OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. R.K. Saini, Advocate
for the petitioners.

Mr. Ashish Yadav, Advocate
for respondents No.1 and 2.

Mr. Shrey Goel, Advocate
for respondent No.3.

VINOD S. BHARDWAJ, J. (Oral)

The present petition has been filed by the petitioner seeking issuance of direction to respondents to decide legal notice dated 12.08.2019 (Annexure P-4) and to award compensation to the petitioner on account of untimely death of husband of the petitioner No.1 and father of petitioner Nos.2 to 7.

Learned counsel appearing on behalf of the petitioner contends that Rajinder (deceased-husband of the petitioner No.1) was working as a Foreman with the respondent No.3 and on 23.02.2019 he was called by officials of respondent No.2-Power House Electricity Board regarding some fault in the Power House. It is submitted that the deceased husband of the petitioner No.1 along with Narinder Kumar had gone to the Power House where he died on account of electrocution and FIR No. 215 dated 24.02.2019 was registered under Section 304-A

of the IPC at Police Station Karnal Sadar. He thus contends that he is entitled to compensation in terms of the notification issued by the Uttar Hayana Bijli Vitran Nigam Limited (UHBVNL) pertaining to compensation policy for the fatal/non-fatal accidents of human beings due to electrocution and compensation thereon. It is contended that he would be satisfied that in case the respondent No.1-UHBVNL is directed to adjudicate on the legal notice dated 12.08.2019 (Annexure P-4) in accordance with the policy framed by the respondent No.1-UHBVNL and in light of the precedent judgments of the Hon'ble Supreme Court as well as this Court.

The aforesaid prayer of the petitioner is not objected to by the counsel representing Respondents no.1 and 2 i.e. UHBVNL and PHEB.

In view of the above, the present petition is disposed of with a direction to the respondent No.1-UHBVNL to adjudicate on the legal notice dated 12.08.2019 (Annexure P-4) in light of the compensation policy notified by the respondent No.1-UHBVNL and the precedent judgments of the Hon'ble Supreme Court as well as this Court. A reasoned and speaking decision shall be taken thereupon within a period of 03 months from the receipt of certified copy of this Court after affording an opportunity of hearing to the petitioner.

(VINOD S. BHARDWAJ)
JUDGE

AUGUST 24, 2022

Vishal sharma

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No